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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA, ) CASE NO: CR 14-149 RS  
13 Plaintiff, )  
14 v. )  
15 IMRAN HUSAIN, )  
16 Defendant. )  
17 \_\_\_\_\_)

18 Pursuant to Fed. R. Crim. P. 16(d), the United States and the defendant, through undersigned  
19 counsel, hereby stipulate and agree that the Court should issue the proposed Protective Order requiring  
20 that all documents and other materials produced by the government to the defendants be subject to the  
21 following conditions:

22 1. Protected Material

23 The government anticipates producing a large volume of documents in this case. Portions of the  
discovery include confidential information relating to third parties.

25 To expedite discovery, and avoid any potential delay which might result from redacting all  
26 confidential information from the documents prior to their production, the parties have agreed that, at  
27 present, all documents and materials produced by the government shall be deemed "Protected Material."

28 Possession of copies of the Protected Material shall be limited to the defendant and his attorneys,

STIPULATION AND PROPOSED PROTECTIVE ORDER

1 including any investigators, paralegals, law clerks, assistants and other persons who are within the  
2 attorney-client privilege (hereinafter collectively referred to as "members of the defense team"). The  
3 defendant, his attorneys and the members of his defense team may use the Protected Material for any  
4 purpose consistent with defending against the allegations in the Indictment. The defendant, his attorneys  
5 and the members of his defense team may show the Protected Material to witnesses or prospective  
6 witnesses in conjunction with their defense of this case. The defendant, his attorneys and the members  
7 of his defense team agree not to share, duplicate or give copies of the Protected Material to other  
8 persons, however.

9 Pursuant to Fed. R. Crim. P. 16(d)(1), the parties may, for good cause shown, seek an order  
10 modifying this Protective Order to, for example, exclude certain documents from the category of  
11 Protected Material, and nothing about this stipulation and order shall constrain the ability of the parties  
12 to seek, or the ability of the Court to grant, such relief.

13 2. Court Filings

14 The parties further agree that they will make good faith efforts to undertake all reasonable and  
15 practicable steps to prevent the public disclosure in court filings of confidential information (including,  
16 but not limited to, social security numbers, phone numbers, addresses, email addresses, driver license  
17 numbers) that is contained in the Protected Material. Such steps may include, but are not limited to,  
18 filing under seal, redacting or coding the information.

19 3. Return of Protected Material

20 The defendant, his attorneys and the members of his defense team shall return all Protected  
21 Material provided pursuant to this Protective Order to the government within ninety (90) calendar days  
22 after any one of the following events, whichever occurs latest in time: (a) dismissal of all charges  
23 against the defendant; (b) defendant's acquittal after trial by court or jury; (c) if defendant is convicted,  
24 the expiration of the time period in which a direct appeal may be taken; (d) if a direct appeal is taken, the  
25 date on which any such appeal is finally determined; and, (e) expiration of time for the defendant's  
26 application for habeas corpus relief.

27 The government will maintain a copy of all Protected Material in compliance with its normal  
28 document retention policies.

1 IT IS SO STIPULATED.

2 DATED: May 8, 2014

3 \_\_\_\_\_  
4 /s/  
BENJAMIN KINGSLEY  
Assistant United States Attorney

5 DATED: May 8, 2014

6 \_\_\_\_\_  
7 /s/  
VICTOR SHERMAN  
Counsel for Defendant Imran Husain

8 [PROPOSED] ORDER

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10  
11 DATED: 5/9/14

12 \_\_\_\_\_  
13 HON. RICHARD SEEBORG  
14 UNITED STATES DISTRICT JUDGE  
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